

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re:

SEARS HOLDINGS CORPORATION, *et al.*,

Debtors.

Chapter 11

Case No. 18-23538 (RDD)

(Jointly Administered)

**PROPOSED ORDER GRANTING SANTA ROSA MALL'S MOTION
FOR LEAVE TO FILE UNDER SEAL**

Upon the *Motion for Leave to File Under Seal* (the “*Motion*”, Docket No. ____) filed by creditor Santa Rosa Mall, LLC (“Santa Rosa Mall”), on April 29, 2019, for entry of an order (this “*Order*”) authorizing Santa Rosa Mall to file an adversary proceeding and all exhibits in support thereto under seal pursuant to Sections 105(a) and 107(b) of the Bankruptcy Code, Fed. R. Bankr. P. 9018, SDNY LBR 9018-1, and Paragraph 13 of the *Amended Stipulated Protective Order* (Docket No. 1084); and the Court having found that it has jurisdiction over this matter pursuant to 28 U.S.C. §§ 157 and 1334; and the Court having found that this is a core proceeding pursuant to 28 U.S.C. § 157(b)(2); and the Court having found that venue of this proceeding and the *Motion* in this district is proper pursuant to 28 U.S.C. §§ 1408 and 1409; and the Court having found that Santa Rosa Mall provided appropriate notice of the *Motion*; and this Court having determined that the legal and factual bases set forth in the *Motion* establish just cause for the relief granted herein; and upon all of the proceedings had before the Court; and after due deliberation and sufficient cause appearing therefor,

IT IS HEREBY ORDERED THAT:

1. The *Motion* is granted as set forth herein.
2. Santa Rosa Mall is authorized to file an adversary proceeding and all exhibits in support thereto under seal, by providing them to the Clerk’s Office at 300 Quarropas Street along with a copy of this *Order*.
3. Santa Rosa Mall is authorized to file the redacted versions thereof on the public docket of this case provided that only the Designated Material, as defined in the *Amended Protective Order*, pursuant

to Sections 105(a) and 107(b) of the Bankruptcy Code, Fed. R. Bankr. P. 9018, SDNY LBR 9018-1, and Paragraph 13 of the *Amended Protective Order*.

4. Except upon further order of the Court, the sealed documents shall remain under seal, and shall not be made available to anyone without the consent of the Debtor, with the exception that unredacted copies of the Sealed Documents shall be provided to (a) Chambers, (b) the United States Trustee, and (c) any other party in interest as may be ordered by the Court or agreed to by the Debtor.

5. Santa Rosa Mall is authorized to take all actions necessary to effectuate this *Order*.

6. This *Order* is without prejudice to the rights of any party in interest, or the United States Trustee, to seek to unseal the sealed documents or any part thereof.

7. Santa Rosa Mall shall contact the Clerk's Office regarding the return or disposition of the sealed documents within 10 days after resolution of the adversary proceeding. Upon Santa Rosa Mall's failure to do so, the Clerk of the Court is authorized to destroy the sealed documents.

8. This Court retains exclusive jurisdiction with respect to all matters arising from or related to the implementation, interpretation, and enforcement of this *Order*.

Dated: _____, 2019
White Plains, New York

HONORABLE ROBERT D. DRAIN
UNITED STATES BANKRUPTCY JUDGE